

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

AVRAHAM EISENBERG,

Defendant.

23-cr-10 (AS)

ORDER

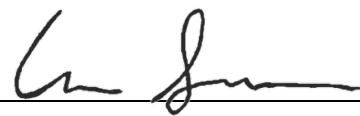
ARUN SUBRAMANIAN, United States District Judge:

At the close of the trial day on April 11, the parties should be prepared to address their proposed instructions on the mixed-swap issue. In particular, the Court had the following questions:

1. Is it the Government's position that MNGO is a security?
2. If MNGO is a security, then what is the Government's position as to what the other thing is that the swap may be found to be based on for purposes of the mixed-swap definition?

SO ORDERED.

Dated: April 11, 2024
New York, New York



ARUN SUBRAMANIAN
United States District Judge